

Town Board Minutes

The Municipal Review Committee

June 5, 2017

Meeting No. 16

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, acting as the Municipal Review Committee, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of June 2017, at 6:00 PM and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR
ANTHONY GORSKI, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
KRISTIN MCCRACKEN, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

ABSENT: REBECCA ANDERSON, PLANNING BOARD MEMBER

EXCUSED: JOSEPH KEEFE, PLANNING BOARD MEMBER

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for two (2) actions.

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE**

UP STATE TOWER CO., LLC

The Municipal Review Committee reviewed the Long Environmental Assessment Form on the Up State Tower Co., LLC matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an Type 1, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 3.16 acres.

The location of the premises being reviewed is 5393 William Street, Lancaster, New York 14086, Erie County.

This project is described as a 160' Self-Support Tower and associated telecommunications equipment in 50' X 50' Lease Area.

THE FOLLOWING MOTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Up State Tower Co., LLC matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project, and issue the following Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

1. Impact on land – Small impact

- The proposed action may involve construction on land where the depth to water table is less than 3 feet.

2. Impact on Geological Features – No impact

3. Impacts on Surface Water – Small impact

- The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the beds or banks of any other water body.

4. Impact on Groundwater – No impact

5. Impact on Flooding – No impact

6. Impact on Air – No impact

7. Impact on Plants and Animals – No impact

8. Impact on Agricultural Resources – No impact

9. Impact on Aesthetic Resources – No impact

- It is noted that this will result in a 160 foot tall tower in the area.

10. Impact on Historic and Archeological Resources – No impact

11. Impact on Open Space and Recreation – No impact

12. Impact on Critical Environmental Areas – N/A

- The Town of Lancaster has not established a Critical Environmental Area (CEA).

13. Impact on Transportation – No impact

14. Impact on Energy – No impact

15. Impact on Noise, Odor and Light – No impact

16. Impact on Human Health – No impact

17. Consistency with Community Plans – No impact

18. Consistency with Community Character – No impact

and,

BE IT FURTHER

RESOLVED, that the MRC’s recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT	
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	WAS ABSENT	
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

June 5, 2017

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE**

Taco Cocina Transit, LLC d/b/a Deep South Taco

The Municipal Review Committee reviewed the Short Environmental Assessment Form on the Taco Cocina Transit, LLC d/b/a Deep South Taco matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled “Part 2 Environmental Assessment” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.8 acres.

The location of the premises being reviewed is 6727 Transit Road, Lancaster, New York 14086, Erie County.

This project is described as the approval for modification of previously approved site plan in order to establish new restaurant operation.

THE FOLLOWING MOTION WAS OFFERED BY
COUNCIL MEMBER GACZEWSKI WHO MOVED
ITS ADOPTION, SECONDED BY PLANNING
BOARD CHAIRMAN CONNELLY TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Taco Cocina Transit, LLC d/b/a Deep South Taco matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project and issue a Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

- 1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
- 2. The proposed action will not result in a change in the use or intensity of use of land.
- 3. The proposed action will not impair the character or quality of the existing community.
- 4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
- 6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
- 7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
- 8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
- 9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
- 10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
- 11. The proposed action will not create a hazard to environmental resources or human health.

BE IT FURTHER

RESOLVED, that the MRC’s recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT	
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	WAS ABSENT	
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCracken	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

June 5, 2017

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER WALTER AND SECONDED BY COUNCIL MEMBER ABRAHAM FOR ADJOURNMENT OF THE MEETING, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT	
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	WAS ABSENT	
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The meeting was adjourned at 6:13 P.M.

Signed _____
Diane M. Terranova, Town Clerk